

BEFORE THE ENVIRONMENTAL PROTECTION
AGENCY

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IN RE: EPA PUBLIC MEETING

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BEFORE: KRISTINE MATZKO

TRISH TAYLOR

Lora Warner

Leo Mullen

MEETING: Wednesday, July 25, 2007

6:45 p.m.

LOCATION: St. George Parish Hall

Salmon & Venango Streets

Philadelphia, PA 19134

RESIDENT: Frank Rizzo, Unknown

Resident, Matt, Ellen

Casey, Paul Montagano, Paul

Kaiser, Patty-Pat

Kozlowski, Adam Kremes,

Unknown Resident, Patrick

O'Neill, Mike Hamburg

Reporter: Gina Brower

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Elaine Marie Jones
Chenega Integrated Systems, LLC
Technical Services Group
Community Involvement Specialist
1509 St. Andrews Boulevard
Panama City, FL 32405

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P R O C E E D I N G S

MS. TAYLOR:

We're going to go ahead and get started. I want to thank everybody for coming out tonight. My name is Trish Taylor. I'm the Community Involvement Coordinator with EPA. Tonight we've come out to talk about the proposed cleanup plan we have for the Franklin Slag Pile Superfund Site. The site is located on the corner of Castor and Delaware Avenues.

Tonight what we want to do is go through the Proposed Plan briefly. It will take about 30 minutes to go through our presentation. There is a handout over by the door that has slides on it for you to take. But the rest of the time we're going to spend dedicated

1 to submitting your comments to
2 us.

3 We do have a court
4 reporter here tonight. We're
5 in the middle of a public
6 comment period, which means
7 that we're asking the public to
8 submit their comments,
9 questions or ideas about what
10 we're proposing.

11 You can stand up and
12 give your comments tonight
13 verbally. If you don't feel
14 comfortable doing that, you can
15 also send an e-mail or postal
16 mail, written comments. I
17 believe the publiccomment
18 period ends August 17th, so I
19 think there's about two more
20 weeks.

21 There are a couple
22 people here tonight that I'd
23 like to point out. We do have
24 Councilman Frank Rizzo here
25 with us. Thank you for coming.

1 MR. RIZZO:

2 You're quite welcome.

3 MS. TAYLOR:

4 We also have a
5 representative from the --- Ms.
6 Schwartz, Councilman Schwartz
7 is here. Thank you. And also
8 Representative John Taylor, or
9 someone from his office. Thank
10 you very much.

11 We have a couple people
12 here from EPA as well. We have
13 Peter Ludzia here. He is the
14 Remedial Branch Chief. Our
15 Project Manager, Remedial
16 Project Manager, who is in
17 charge in the cleanup is
18 Kristine Matzko. She's going
19 to be giving the presentation.

20 It's going to take about
21 30 minutes and I'm going to ask
22 if you do have a cell phone, if
23 you'd want to please turn it on
24 vibrate because this is an
25 echoey room, so I appreciate

1 that. Kris, do you want to go
2 ahead?

3 MS. MATZKO:

4 Thanks, Trish. Can
5 everyone hear me? There we go.
6 Okay. My name is Kris Matzko
7 and I'm the Project Manager for
8 the Franklin Slag Pile site.
9 Again I want to thank everyone
10 for coming. I certainly
11 appreciate you taking the time
12 out of your busy day to come
13 here tonight and learn about
14 what we are proposing for the
15 site.

16 This is a photo of the
17 Franklin Slag Pile site. And
18 as Trish said previously, it's
19 at the corner of Delaware and
20 Castor Avenues. And let's just
21 go straight to the meat of the
22 matter.

23 The slag pile is about
24 68,000 cubic yards of covered
25 slag. And I did bring a sample

1 of how it's covered. This is
2 the material it's covered with.
3 It's a thick plastic cover.
4 Again, it's at the corner of
5 Delaware and Castor Avenues and
6 it's right across the street
7 from the Tioga Marine Terminal.

8 Let's talk a little bit
9 about the slag material itself
10 so you're familiar with what it
11 is. EPA did testing of the
12 slag material. We did an
13 evaluation. We determined that
14 if a construction worker was
15 going to work with the slag
16 material that it would pose a
17 health risk due to inhaling the
18 dust from the slag.

19 EPA also looked at the
20 metals here that cause the
21 risk. There are eight metals
22 there, aluminum, beryllium,
23 chromium, cobalt, copper, iron,
24 manganese and lead. So those
25 are the eight metals that we

1 are most concerned about at
2 this site.

3 When we tested the slag
4 material with a test that's
5 used in the Hazardous Waste
6 Program, which we commonly
7 refer to as RCRA, because RCRA
8 is the law that governs
9 hazardous waste ---. Sometimes
10 you'll hear me say RCRA, but
11 we'll just think of it as a
12 Hazardous Waste Program. When
13 we tested the slag, the lead
14 results exceeded the hazardous
15 waste standard. The hazardous
16 waste is 5 and the results we
17 received were 6 and above and
18 as high as 21, so that makes
19 the slag material considered a
20 hazardous waste.

21 We've talked a little
22 bit about the site. And now
23 I'm going to talk a little
24 about the process that EPA goes
25 through in selecting a remedy.

1 EPA tested the slag material at
2 the Franklin Slag Pile site and
3 found that it is considered a
4 hazardous substance when we
5 compared it to the standards in
6 the Hazardous Waste Program.

7 Now, we're going to talk
8 about the process. How does
9 EPA make a selection for a
10 site? How do we make a
11 selection to determine how best
12 to clean up a site? Well, we
13 look at nine criteria --- and
14 I'll be talking to you a little
15 about those criteria later.
16 And for this site, we
17 considered five cleanup
18 options, and I'll be talking
19 about those.

20 We did look at two other
21 options that were eliminated.
22 One option that was eliminated
23 was reusing the material. And
24 the other option that was
25 eliminated was disposing it at

1 the neighboring Philadelphia
2 Water Department property. In
3 brief summary, the reason we
4 eliminated those two options
5 was because they weren't
6 complying with regulations.

7 Here are the five
8 cleanup alternatives that EPA
9 evaluated, and I have them
10 listed right here for you. But
11 just in summary, we looked at
12 sort of two types or two
13 categories of cleanup options.
14 We looked at some cleanup
15 options where we would just
16 cover the pile or keep the
17 cover maintained. The other
18 type of option that we looked
19 at was to remove the slag from
20 the property.

21 So here they are.
22 There's a no-action
23 alternative, a limited action
24 alternative, a removal
25 alternative, number three. And

1 then number four is the RCRA
2 Cap, and that's EPA's preferred
3 alternative. And that's the
4 alternative that we are
5 recommending for this site.
6 And, again, RCRA is a term for
7 a law that EPA uses to manage
8 hazardous waste. So it's a
9 hazardous waste cover for the
10 slag pile that we are
11 recommending. Number five is,
12 again, another removal
13 alternative. I'm going to go
14 through each of those
15 alternatives now.

16 No, I'm going to the
17 nine criteria. Okay. I told
18 you that we looked at these
19 five alternatives, but how did
20 we evaluate them? Well, we
21 evaluated them using these nine
22 criteria I have listed right
23 here for you. I'm going to
24 talk about them briefly.
25 They're discussed more in the

1 Proposed Plan.

2 Okay. The first
3 criteria that we focus on when
4 we look at each of the cleanup
5 options is to make sure that
6 the cleanup option that we're
7 considering is protective of
8 human health and the
9 environment. So that's the
10 first criteria we evaluated.

11 The second alternative
12 --- the second criteria that we
13 evaluate is compliance with
14 what we call ARARs. And it's a
15 terminology that EPA uses. It
16 basically means compliance with
17 existing regulations. So if
18 there's a state regulation or a
19 federal regulation, we want to
20 make sure that the cleanup is
21 consistent with that of state
22 or federal law. So just think
23 of this as consistency with
24 state and federal law.

25 Then items number three

1 through seven are a series of
2 criteria that we looked at that
3 deal with different aspects,
4 long-term effectiveness. Is
5 this going to be a permanent
6 remedy? Will this remedy last
7 a long time?

8 Item number four, is
9 there treatment involved in the
10 cleanup that we're evaluating?
11 Number five, any short-term
12 effectiveness. Is there simply
13 something that's going on in
14 the short term that would be
15 --- that might be adverse?

16 Implementability. Is
17 this cleanup that we're looking
18 at something that's been done
19 before that's common practice
20 or is this a new technology?

21 Item number seven, cost.
22 What's the cost of this remedy?
23 So you look at all of those.

24 And then the last two is
25 State acceptance. What are the

1 State's comments or opinions on
2 the cleanup?

3 And then number nine is
4 the community's comments or
5 questions or responses to the
6 cleanup. That's one of the
7 reasons why we're here tonight.

8 All right. Let me just
9 go through the different
10 alternatives that we evaluated,
11 the different cleanup options
12 that we evaluated. The first
13 one is called no-action. It's
14 a standard cleanup alternative
15 that we look at for every site.
16 It's just a baseline. And for
17 this site, it would mean if we
18 just left the site as it is.
19 If you just left the pile
20 covered with this HDPE, this
21 thick plastic on it.

22 Then we came up with a
23 limited action alternative.
24 The limited-action alternative
25 would be to maintain the site

1 as is, maintain this cover and
2 make repairs, if necessary, and
3 to do operation and maintenance
4 of the site. Also, it includes
5 something called institutional
6 controls. Institutional
7 controls are --- the best way
8 to think of them are legal
9 restrictions, ways that we can
10 place notices on properties to
11 protect, remedy and to prevent
12 people from being exposed to
13 any type of site contaminants.

14 And a five-year review,
15 that's a practice that EPA does
16 on all sites when there is
17 contamination left in place.
18 While we do regular operation
19 maintenance on the site, the
20 five-year review is a check, a
21 way for EPA to evaluate a site
22 to make sure that it's still
23 protected. And the cost for
24 this alternative is over
25 \$500,000.

1 Okay. Now, we're going
2 to talk about the cleanup
3 alternative number three. This
4 is one of our removal
5 alternatives, so I'll talk
6 about that in more detail. In
7 this one, we are removing the
8 slag off the site and
9 transporting it to a RCRA
10 landfill. And, again, RCRA is
11 just another term for a
12 hazardous waste landfill. So
13 in this case we would excavate
14 the slag and transport it to a
15 hazardous waste landfill where
16 they would treat it and dispose
17 of it.

18 Then we would go and
19 regrade the site, we would
20 plant the site, plant grass,
21 fence and secure it. And this
22 cost is \$31,000,000.

23 Here is cleanup
24 alternative number four. And
25 again, this is the alternative

1 that EPA is recommending in our
2 Proposed Plan. So I'll spend a
3 little time on this one so
4 we're all familiar with what
5 EPA is proposing. It's a RCRA
6 cover, which is a multilayer
7 cover. And that means you
8 would lay a series of different
9 materials over the slag pile.

10 I brought some examples
11 tonight with me so you can get
12 a sense of what they are, but
13 the first one is a clay layer.
14 And what they do is they put
15 the clay in this material.
16 Hold on for one second. So it
17 --- here we go. It would be a
18 layer like this with clay
19 embedded in it and it would be
20 placed over the pile. And then
21 there would be another plastic
22 layer or liner. And this is an
23 example of the plastic liner
24 placed over the clay liner.

25 And then on top of that

1 would be two feet of soil and
2 then it would be vegetated with
3 grass. So that's what a
4 typical hazardous waste
5 landfill cover would consist
6 of, it's the clay, the plastic,
7 the soil, and then the grass.

8 Now, in order to lay the
9 different covers on the pile,
10 we would need to make sure that
11 the pile had the right shape to
12 it, or the right slope, so that
13 the cover will be stable and
14 will stay all on the pile
15 forever. So in order to do
16 that, we think that we would
17 need to excavate and remove a
18 small percentage of the slag
19 that's on the site and load it
20 on the trucks and transport it
21 to a RCRA landfill, or a
22 hazardous-waste landfill.

23 Then the other aspect of
24 the cleanup is long-term
25 maintenance. Once we place

1 this cover on, we want to ---
2 we'll be checking it to make
3 sure that the cover is stable
4 and that there is no erosion or
5 drainage problems. We would
6 also be monitoring the
7 groundwater. We'll be
8 installing wells to monitor the
9 groundwater.

10 We will also make sure
11 that there is a fence around
12 the slag pile so that the site
13 is secure, and we will also
14 place institutional controls.
15 And these are those legal
16 restrictions that I had
17 mentioned previously, legal
18 restrictions to protect the
19 remedy and to make sure that
20 there is no exposure to people
21 from the site.

22 And then the five-year
23 reviews. We would go ---
24 besides the regular operation
25 and maintenance at the site, we

1 would do five-year reviews to
2 check to make sure that the
3 landfill cover is still
4 operating and functioning and
5 protected. In this remedy, the
6 estimate is 5.6 million
7 dollars. And again, this is
8 the remedy that we're
9 recommending in our proposal
10 today.

11 Okay. Just one more to
12 go. I told you that we looked
13 at both covering options and
14 removal options. This is the
15 second removal option the EPA
16 evaluated. And let me talk to
17 you a little bit about this one
18 because it's different than the
19 other one I talked about
20 previously. Okay. In this
21 option, we would treat the slag
22 on site to make sure that it
23 meets the Hazardous Waste
24 Program testing requirements.

25 There's a test that's

1 performed on hazardous waste
2 and I wrote down the initials
3 right here for you, TCLP. And
4 it's a hazardous waste test.
5 And once you pass the test, the
6 waste is considered safe to
7 dispose at a non-hazardous
8 waste landfill. So we would
9 treat the slag on-site, we
10 would test it to make sure that
11 it doesn't --- it no longer has
12 the characteristics of a
13 hazardous waste. Then we would
14 load it on to trucks and they
15 would take it to a
16 non-hazardous waste landfill
17 for disposal.

18 So this alternative for
19 treating on-site, and the other
20 alternative I talked to you
21 about, there is no treatment on
22 site. And then we would go and
23 we would regrade the site, we
24 would vegetate the site, fence
25 it. And this alternative is

1 estimated at \$18,000,000.

2 Well, I've covered each
3 of the five remedies that we
4 evaluated. And now what I'm
5 going to do is talk briefly
6 about why we are proposing the
7 alternative for the hazardous
8 waste cover or the RCRA cover.

9 First of all, it's
10 protective of people and the
11 environment. It's a cover that
12 will be permanent. It will
13 retain slag, so the slag that
14 stays on the site is covered,
15 so there will be no exposure to
16 people and no exposure to the
17 environment.

18 The other important
19 aspect is that it complies with
20 the Hazardous Waste Program.
21 RCRA covers and landfill
22 covers, in general, are long
23 term and they're permanent
24 cleanups. And it's also
25 something that's very feasible.

1 These are standard
2 technologies, they're qualified
3 people and firms that implement
4 this remedy.

5 And when you compare
6 this remedy to the other's
7 remedies, it's the least costly
8 and it's effective when
9 compared to the other
10 alternatives. Do you want to
11 cover this?

12 MS. TAYLOR:

13 Yes.

14 MS. MATZKO:

15 All right. Well, I'm
16 going to pass it over to Trish.

17 MR. RIZZO:

18 I have a question.

19 BRIEF INTERRUPTION

20 MS. TAYLOR:

21 Yeah. I've got two
22 notes. Can you hear me? These
23 websites have the full Proposed
24 Plan. What you have in front
25 of you is just a summary.

1 We've hit the high notes. If
2 you want to see the Proposed
3 Plan in full, it's about a
4 30-page document, and it's
5 available both on the site
6 webpage, and the administrative
7 record webpage. You can also
8 go to the local library. There
9 should be a copy of the
10 Proposed Plan in full at the
11 Port Richmond Branch Library.

12 The next step. The next
13 step basically is to finish out
14 the public comment period.
15 We're about midway through
16 right now. We have about two
17 weeks left in the
18 public-comment period. Once
19 that is closed, we'll collect
20 all of the comments that we've
21 received tonight, as well as
22 the e-mail comments and the
23 postal mail comments. We'll
24 put those together in what we
25 call a Responsiveness Summary.

1 It's a document that will have
2 all comments submitted that are
3 pertaining to the Proposed Plan
4 and responses to them.

5 When we decide which of
6 the alternatives will be
7 adopted for the cleanup, that
8 decision will be in a document
9 called a Record of Decision,
10 which is open to the public.
11 And the Responsiveness Summary
12 that I just mentioned will be
13 part of that document. It will
14 be attached to that document
15 and available online, as well
16 as at the library.

17 So I think we can go
18 ahead and get started with
19 comments. And we already have
20 somebody who is interested.
21 Yes, sir.

22 MR. RIZZO:

23 My name is City
24 Councilman, Frank Rizzo.

25 MS. TAYLOR:

1 I'm going to go ahead
2 and use this.

3 MR. RIZZO:

4 I'll speak louder.

5 MS. TAYLOR:

6 Actually, we've got one
7 of these for the court reporter
8 and me.

9 MR. RIZZO:

10 Okay. Great.

11 MS. TAYLOR:

12 Turn it on.

13 MR. RIZZO:

14 One of the questions
15 that I have about the project,
16 Kristine is, when it becomes a
17 Superfund site, does it become
18 property of the federal
19 government? Does that site
20 belong to you at this point?

21 MS. MATZKO:

22 Actually, no, we don't
23 own the property itself. So
24 while we have investigated the
25 property and we will be

1 recommending a remedy --- or
2 will eventually select a remedy
3 for this site, and then we'll
4 work to implement that remedy,
5 we don't own the property.

6 MR. RIZZO:

7 Who owns the site?

8 MS. MATZKO:

9 It's owned by a company
10 that operated both --- there's
11 a company that owns a smelter
12 operation and slag pile
13 operation.

14 MR. RIZZO:

15 Wouldn't you think,
16 though, that we should take
17 control, the federal
18 government, or the government
19 of our city, to make sure that
20 we have control of that site?
21 I don't pretend to know a lot
22 about Superfund sites, but one
23 of my concerns is we have
24 enough vacant land in the city
25 --- and I'm not suggesting that

1 --- or I don't know, is there
2 any reuse, ever, of Superfund
3 sites? Because I think that
4 what I would like to see ---
5 and I noticed that you didn't
6 pick the least expensive, yet
7 you got somewhere in the
8 middle, but I would love to be
9 able to see, some day, a site
10 with a fence not there or that
11 my constituents could have a
12 facility, park ---. And,
13 again, I don't know if a
14 Superfund site can be cleaned
15 appropriately to allow that
16 kind of reuse.

17 But I honestly can't
18 support having my constituents
19 have a fence around a piece of
20 property for the rest of their
21 lives. And if it's about
22 money, I don't want us to go
23 cheap. I want it done properly
24 and I want to know whether or
25 not this property could be

1 cleaned to the point where it
2 could be reused or open space
3 for this community. It needs
4 open space desperately.

5 MS. MATZKO:

6 Okay. I'll tell
7 you ---.

8 MS. TAYLOR:

9 Can I just jump in?
10 Actually, there were about four
11 questions in that question,
12 so ---.

13 MR. RIZZO:

14 I apologize.

15 MS. TAYLOR:

16 I know. We'll try to
17 get them all. We want to
18 answer all of them. The first
19 one was who owns the property.
20 And it's still owned by the
21 corporation that ran the
22 operation there.

23 MR. RIZZO:

24 I just can't imagine us
25 doing this and not taking,

1 somehow, that property, taking
2 control of it, to have another
3 party, after we spend millions
4 of dollars to clean it up.

5 MS. MATZKO:

6 Even though the property
7 is owned by a corporation, that
8 still --- that does not prevent
9 EPA from implementing the
10 cleanup that needs to be
11 implemented for this site. So
12 we can still move forward with
13 implementing the remedy
14 regardless of the ownership.

15 You had some other
16 questions about reuse, and
17 that's a common question we
18 get. And I definitely
19 understand your interest in
20 having reuse at the site.
21 EPA's proposal is for a
22 hazardous waste plan to do a
23 cover on the property. And
24 because it is a cover over a
25 pile, it will not be able to be

1 reused. It will be fenced off
2 and we will not be able to use
3 it, so we can protect the cover
4 and make sure that it doesn't
5 get damaged.

6 MR. RIZZO:

7 But the \$31,000,000 deal
8 does make it eligible for
9 reuse; correct?

10 MS. MATZKO:

11 That's correct. There
12 were two alternatives in the
13 list of five. Alternative
14 three and alternative five both
15 deal with removing the slag
16 from the site and disposing of
17 it in an appropriate landfill.
18 And in those two alternatives
19 there is a possibility of
20 reusing that property. I will
21 say that under those two
22 alternatives, alternatives
23 three and five, the type of use
24 would be limited. Since there
25 would be some residual

1 contamination left at the site,
2 we couldn't let --- we would
3 limit the use to some type of
4 industrial or commercial use.

5 MS. TAYLOR:

6 Yes, sir, the gentleman
7 in the back.

8 UNKNOWN RESIDENT:

9 If we're doing this for
10 these corporations, where we
11 clean up their site at our
12 expense, and then we give it
13 back to them, could we reuse
14 that property? I mean, this
15 neighborhood has been down the
16 drain too long.

17 MS. TAYLOR:

18 We're not going to look
19 into that. Excuse me, sir.
20 The court reporter didn't catch
21 what you're saying. I'm sorry
22 about that.

23 UNKNOWN RESIDENT:

24 I just feel that this
25 neighborhood has been misused

1 and abused too long. And I
2 feel that in the line, in that
3 site, if it's owned by a
4 corporation, and our tax
5 dollars are paying for it, that
6 it goes back to the corporation
7 and they profit again from it,
8 I think that's asking too much
9 from the people.

10 I think that if the EPA
11 were to clean that site up, and
12 if you're as good as you say
13 you are, then you'll get rid of
14 all of the residuals, turn that
15 into a park for people in these
16 residences here. Okay? We
17 have all been waiting --- the
18 riverfront that's coming
19 through, they cut it to 12 feet
20 down there, where everybody
21 else has got a 30-foot walkway.
22 It would be nice if we had
23 another park. Maybe the gas
24 company could put murals up of
25 Port Richmond for the last ---

1 1900s to its inception.

2 That's what I --- I have
3 to leave to go to another
4 meeting, but I'll tell you this
5 right now. And I don't mean to
6 be argumentative, but I could
7 never support having a landfill
8 in my city. But this is a
9 landfill, and I want to see it
10 cleaned up, cleaned up properly
11 and an appropriate reuse. And
12 I'll be working with some of my
13 colleagues in city government
14 to see what we can do to get
15 control of that land. Because
16 the federal government, or
17 better yet, the City of
18 Philadelphia, needs to be the
19 one to control that site. I
20 don't have any confidence in
21 anyone else.

22 MS. MATZKO:

23 Thank you very much for
24 your comment. I appreciate it.

25 We had one comment from

1 the gentleman in the back there
2 about the value of the site and
3 reuse. And I just want to make
4 one clarification, that once we
5 clean up the site, we would not
6 return the property back to the
7 original corporation that owned
8 it for them to reuse it. That
9 would not be our intention, so
10 I just want to make that
11 clarification.

12 MS. TAYLOR:

13 Anybody else? And if
14 you could please use the
15 microphone, that way we can get
16 the court reporter to get it on
17 the record. Go ahead, sir.
18 I'm sorry.

19 MATT:

20 My name is Matt. I have
21 a two-part question. First of
22 all, I want to thank you guys
23 for doing something with the
24 site. I've lived here for like
25 seven years and it doesn't look

1 like anything has been done up
2 to this point. So I appreciate
3 you having this meeting, just
4 to let us know that something
5 is going to be done.

6 My first question is, if
7 this site is still owned by a
8 corporation, is that
9 corporation bankrupt right now
10 or what is the status of the
11 corporation or company that
12 owns it?

13 MS. MATZKO:

14 That's a good question.
15 We are working with all the
16 parties, all the corporations
17 that are associated either with
18 the Franklin Smelting
19 Corporation or the Slag pile.
20 And we're working with those
21 companies to see what their
22 financial capability is to see
23 if they have a contribution, a
24 financial contribution, that
25 they can make. So we're in the

1 process of evaluating the
2 financial information to make a
3 decision if there is a
4 contribution that they can
5 make.

6 MATT:

7 That's what I was
8 getting to. Obviously they
9 have money in their corporate
10 assets, or there's some
11 insurance monies there. Maybe
12 we should first look into, you
13 know, maybe punishing that
14 company for what they have done
15 to the environment up to this
16 point and not use taxpayers'
17 money to kind of do a project
18 like this.

19 My only other question
20 was, it seems like the 5.6
21 number before that you guys
22 keep talking about, it looked
23 like it was around 5.6 million
24 to do this option. It seems
25 like an awful lot of money. I

1 mean, I appreciate what you're
2 trying to do, but for a kind of
3 like --- you're saying
4 long-term solution. But is it
5 really a long-term solution?
6 It's almost like --- it reminds
7 me of putting siding on a
8 house, but the brick façade is
9 crumbling. You're putting
10 siding over it to make it look
11 nice for the time being, but
12 really under that, that siding,
13 there's still a problem with
14 that house.

15 So really, I mean the
16 next option, option five ---
17 I'm not a scientist, I don't
18 know a lot about this whole
19 situation. But the \$18,000,000
20 to clean it all over, over a
21 long period of time and never
22 have to worry about it again,
23 it looks like that's kind of
24 what that option entails. And
25 it might make sense to invest

1 three times more money and
2 never have to worry about it
3 again.

4 MS. MATZKO:

5 Thanks for that comment.
6 In terms of --- you raised a
7 comment about the long-term
8 effectiveness of a landfill
9 cover. And it is designed to
10 be a permanent cover, to last a
11 long time. And then we will
12 make sure that it lasts a long
13 time because there will be
14 continual checking of the site
15 to maintain and monitor the
16 site. Thank you.

17 MS. TAYLOR:

18 He also brought up a
19 good question about cost
20 recovery. EPA does have a very
21 aggressive cost-recovery
22 program. So although we may
23 not get money up front from any
24 potentially responsible
25 parties, we will go ahead with

1 the cleanup plan. We won't
2 wait for their money because a
3 lot of times it can get tied up
4 in legal red tape. But we do
5 have a cost recovery program
6 that will go after the
7 responsible parties afterwards
8 and get reimbursed.

9 Does anyone else have a
10 comment? Please step up.
11 Thank you very much.

12 MS. CASEY:

13 Hi. My name is Ellen
14 Casey. And I'm only reading a
15 letter that was written by
16 Cindy Casey. I think you spoke
17 with her, because she was
18 unable to attend. So I'm going
19 to read something that she has
20 to say. Okay. And it's this.

21 Dear Ms. Matzko, I'm
22 writing in reference to the
23 EPA's proposed cleanup plan to
24 the Franklin Slag Pile
25 Superfund site located in the

1 Port Richmond area of
2 Philadelphia. I was raised and
3 lived in the area for over 30
4 years. At present most of my
5 family still resides there.
6 I'm extremely concerned about
7 several of the Proposed Plans
8 and the health risks directly
9 associated with them.

10 Our family is plagued
11 with of respiratory and
12 neurological problems, learning
13 disabilities, birth defects and
14 cancers. Until most recently,
15 we were never even aware that
16 we were being exposed to
17 airborne toxins such as lead,
18 copper and beryllium.

19 I further perceive that
20 the community has not been
21 adequately informed about the
22 dangers of this long-term
23 exposure. It is a gross
24 understatement to claim that
25 substances such as lead

1 naturally occur in nature. I
2 further find it extremely
3 misleading to assert that these
4 toxins do not pose cancer
5 risks.

6 According to the
7 International Agency for
8 Research on Cancer, beryllium
9 is indeed carcinogenic.
10 Beryllium is more likely to be
11 found in an atomic energy plant
12 than in someone's car, as
13 current terminology suggests.

14 It is only after the
15 community has been completely
16 informed that a fair removal
17 plan can be implemented. The
18 only criteria the plan
19 ultimately selected should be
20 the health of the community,
21 not the possible reuse of this
22 hazardous site or its cost.
23 You cannot put a price on human
24 life and safety. While there
25 may be limited government

1 resources for the removal of
2 these toxins, it should not be
3 the basis for any decision
4 made.

5 For over 40 years, the
6 Franklin Smelting Company
7 capitalized on the health and
8 welfare of this community and
9 therefore should be, at the
10 very least, partially
11 responsible for absorbing any
12 costs required.

13 The objective, then,
14 should be removal of this
15 hazardous waste, not covering
16 it up with a multi-layered cap.
17 The cap may decrease airborne
18 particles, but it does little
19 to ensure that these dangerous
20 contaminants are not leaching
21 through the soil or into the
22 water.

23 Our primary concern
24 should be the manner in which
25 the slag is removed. Simply

1 hauling it away in trucks would
2 cause massive amounts of
3 airborne pollutants to further
4 endanger people's health. This
5 makes the removal process
6 that's problematic at best.
7 Given the severity of this
8 crisis, it is imperative that
9 we do testing of the slag in
10 there before performing the
11 actual removal or correction.

12 In addition,
13 implementing some type of
14 monitoring and subsequent
15 treatment, if needed, should be
16 available to the community.

17 Finally, I think it is
18 all of our responsibility to
19 ensure the developers do not
20 try to build up near the site,
21 which will unquestionably
22 endanger anyone who may attempt
23 to move in after them.

24 In closing, I have to
25 question how we can make an

1 educated decision on how to
2 remove this hazardous waste
3 when the community has not been
4 adequately informed? Why is
5 cost listed as one of the top
6 nine EPA criteria, when we are
7 deciding how we will remove one
8 of the most dangerous toxic
9 waste sites in the United
10 States?

11 Finally, how is EPA and
12 the government going to protect
13 this community and ensure that
14 no further citizens be exposed
15 and harmed? There's a copy for
16 you.

17 MS. MATZKO:

18 Thank you very much for
19 that comment. You raised
20 several good points that I'd
21 like to address, and I'll
22 address them hopefully as best
23 I can.

24 MS. TAYLOR:

25 A lot of the details

1 that she just talked about we
2 did cover in the presentation.
3 So I know her daughter wasn't
4 there to ---.

5 MS. MATZKO:

6 We've got a bunch of
7 questions. I'm sorry.

8 MS. TAYLOR:

9 We're actually going to
10 try to respond to a few of
11 those before we move on.

12 MS. MATZKO:

13 Yeah. The daughter made
14 several good points, and I
15 wanted to address as many as I
16 can. My memory is not as good
17 as that, so --- and I'll take a
18 break and check what the
19 comments were. In terms of ---
20 one of the comments she brought
21 in was a concern that there
22 would be dust emissions or slag
23 emissions, during the cleanup
24 of the site. And that's a good
25 point. And we are also

1 concerned about that. And in
2 the two removal options that
3 were evaluated, those options
4 would include standard
5 practices, standard health and
6 safety practices, that we would
7 use to make sure that the dust
8 is suppressed. We would do
9 that several different ways.

10 They can spray a fine
11 mist of water to make sure that
12 the dust stays suppressed, so
13 that we can make sure that the
14 people who will be working on
15 making the cleanup will be
16 protected. That's very
17 important.

18 Any type of remedy that
19 the EPA implements, we are
20 required to have a health and
21 safety plan. And that health
22 and safety plan makes sure that
23 the workers who are
24 implementing the cleanup are
25 protected. And to make sure

1 that the people who live in the
2 neighborhood surrounding the
3 site are also protected.

4 That's one point.

5 One of the comments was
6 about the slag material
7 leaching. And that's also a
8 very good comment. In the
9 alternative where we cover the
10 slag pile, that's one of the
11 reasons why we cover it with
12 materials --- we cover it to
13 make sure that there is no
14 water or rainwater that comes
15 through the cover to get in
16 contact with the slag that's
17 underneath. So the multi-layer
18 cover, the clay, the plastic,
19 and the soil prevents the water
20 coming through the cover and
21 contacting the slag, so there
22 would be no leaching.

23 And in addition, for the
24 cleanup alternative where we
25 would cover the pile, we are

1 also going to install
2 groundwater-monitoring wells to
3 see if there is any leaching of
4 the slag material into the
5 groundwater, so we will check
6 on that. The remedy does
7 handle that.

8 MS. TAYLOR:

9 If we can't get to all
10 the questions here tonight, we
11 do have them for the record and
12 they will be part of the
13 Responsiveness Summary. So
14 even if we can't address
15 everything tonight, we will
16 address it in the
17 Responsiveness Summary. So
18 there will be a response. So
19 let's go ahead with other ---.

20 MS. MATZKO:

21 Wait. I just
22 remembered. I'm sorry. Her
23 other comment was about the
24 types of contaminants at the
25 site and their health effects.

1 And we talked about, you know,
2 the cancer effect or a
3 non-cancer effect. Typically
4 metals do not cause cancer
5 effects. And we, the EPA, did
6 an evaluation of the metals'
7 effects. And we did an
8 evaluation for, you know,
9 cancer versus non-cancer. And
10 it was determined that there
11 are no cancer risks at the site
12 due to the contaminants at the
13 site, but it's something we did
14 evaluate and we did check.

15 MS. TAYLOR:

16 Sir, are you in line to
17 speak?

18 MR. MONTAGANO:

19 I have a question. My
20 name is Paul Montagano. I had
21 a question. Options three,
22 four, and five, there's some
23 kind of excavation going on.
24 And once they take that cover
25 off, with the wind, it's going

1 to blow all over the place.
2 And I used to walk to by there
3 and watch the men working, and
4 they had masks on. And you
5 have a channel across the
6 street, and a children's place
7 over to the left. You have the
8 water department on one side,
9 you have the gas works on the
10 other side. What kind of
11 failsafe is there once they
12 take that cover off that there
13 won't be anything blowing
14 around? Water's a good thing,
15 but for one thing, I don't
16 think water's going to cover
17 everything.

18 MS. MATZKO:

19 Well, the dust
20 suppressions would be a key
21 thing that we would have to
22 implement, at least in terms of
23 either of those proposal
24 alternatives. And the standard
25 practice is to spray to

1 suppress the dust. It could be
2 a fine mist, a spray, water
3 that's sprayed, and that would
4 suppress the dust. And we can
5 make sure there are, you know,
6 other health and safety
7 practices that are implemented
8 to protect workers and to make
9 sure that the slag will not
10 leave the site. We can also
11 air monitors at the site to
12 make sure that we know what
13 wind direction it is and that
14 the material would not blow off
15 site.

16 A lot of the practices
17 that I mentioned that we can
18 implement were practices that
19 were implemented in the late
20 1990s, like '99 into 2000, when
21 the EPA did the removal work at
22 both the smelter operation and
23 the slag pile operation. So
24 these are practices that we
25 implemented at the site several

1 years ago, and many other sites
2 as well.

3 MS. TAYLOR:

4 The removal action that
5 happened at the site is part of
6 the site's history. And if you
7 are interested in reading what
8 had happened back when EPA
9 first responded, it was 1999,
10 and it is available online
11 under site history. And there
12 was an active removal that had
13 to do with excavating a lot of
14 the slag at the smelter. Yes,
15 sir.

16 MR. KAISER:

17 It's Trish; right?

18 MS. TAYLOR:

19 Yes.

20 MR. KAISER:

21 We met several years
22 ago. I'm Paul Kaiser from
23 State Rep John Taylor's office.
24 Since you put that cover on,
25 has there been any testing of

1 the homes and the material
2 that's underneath that?
3 Because that cover is just
4 sitting there cooking this
5 material day in and day out.
6 So have any tests been done to
7 see if the composition of that
8 material has changed, or has
9 any testing been done to the
10 groundwater before the pile is
11 --- put the cover on it, and
12 today, just today, to see that
13 the covering of that pile
14 hasn't caused us more problems,
15 that it's actually helping?

16 MS. MATZKO:

17 Thanks for that comment.
18 Like I said, the slag pile is
19 covered with this thick plastic
20 liner. And we have continued
21 to evaluate this liner to make
22 sure that it stays intact. And
23 we did collect some samples of
24 the slag pile --- of the slag
25 on the slag pile since it's

1 been covered with this plastic
2 liner. And we did the standard
3 hazardous waste test on the
4 material. And the test that we
5 did had results that were very
6 similar to testing that has
7 been done in previous years.
8 So there were very similar
9 results. There was one more
10 question.

11 Let me talk a little bit
12 about the groundwater as we
13 proposed it in the alternative.
14 We plan to install
15 groundwater-monitoring wells
16 during the Remedial Design.
17 And that's the point in the
18 process where EPA develops the
19 design for the cleanup. And we
20 would install groundwater-
21 monitoring wells, we would
22 collect groundwater samples and
23 analyze them. And we would use
24 that data as a baseline to ---.
25 And then after the remedy is

1 implemented, we would go back
2 to those wells and we would
3 sample those wells and evaluate
4 the results. The cover that we
5 are recommending to implement
6 for this site, when you place a
7 cover like this on a --- you
8 are also required by law to
9 evaluate the groundwater. So
10 the cover and evaluation of the
11 groundwater goes hand in hand.

12 MS. TAYLOR:

13 Also, I'd like to
14 mention that the pile itself
15 was there as part of the
16 operation of the smelter; is
17 that correct?

18 MS. MATZKO:

19 It was associated.

20 MS. TAYLOR:

21 It was associated with
22 the operation. So I believe
23 the pile was there before it
24 actually became Franklin Slag
25 Pile Superfund Site. So the

1 historic data as to what was
2 under the pile before it
3 existed, I'm not sure we have
4 that. Do we have that?

5 MS. MATZKO:

6 In terms of sampling
7 before, there were --- several
8 samples of the slag pile was
9 taken before EPA became
10 involved in the site and
11 covered the pile. The State
12 had collected samples at the
13 slag pile site, and EPA did an
14 investigation of the slag pile
15 and also sampled it. And most
16 --- like I said, the sampling
17 results that we received and
18 looked at over time all were
19 pretty consistent.

20 MS. TAYLOR:

21 Yes, do you want to step
22 up, if you can, please.

23 MS. KOZLOWSKI:

24 My name is Patty-Pat
25 Kozlowski from Councilwoman

1 Krajewski's office.
2 Vice-president, Adam Kremes is
3 also here. We're with the Port
4 Richmond Patrol and Civic
5 Association. And I also wrote
6 the article in The Spirit, the
7 paper today to try to get
8 people here. And I also do
9 windows.

10 I have --- just have six
11 very quick comments to make.
12 One, in 2004 the councilwoman,
13 State Rep. John Taylor, and
14 City Councilman, Frank Rizzo,
15 who just left, held a press
16 conference out on the site,
17 calling for the cleanup of
18 that. The owner is down in
19 Florida, the owner of MDC
20 Industries. He says he doesn't
21 have the capital to clean it
22 up.

23 By the way, he lives in
24 Palm Beach, Florida, not the
25 ghetto, Palm Beach, Florida.

1 And he says he does not have
2 the capital to clean it up.
3 Just for the residents, he
4 closed shop, did not cover it,
5 went down to Florida. And when
6 he was contacted to clean it
7 up, he said, I don't have the
8 capital to clean it up.

9 The second thing is, as
10 you can tell, our riverfront is
11 being developed. We're part of
12 the North Delaware Riverfront
13 Plan, we're part of Frank
14 DiCicco's plan for Delaware
15 South. And as a community, we
16 can't have this, covered or
17 not, or on the riverfront.

18 We have five new home
19 developments being built in
20 this neighborhood. Frank Rizzo
21 talked about vacant land.
22 Every vacant piece of property
23 is being swooped up by
24 developers and homes are being
25 built, homes starting at

1 \$279,000. So to have this on
2 our riverfront is not good.
3 But it's also not good for the
4 people who lived here who
5 bought their houses for \$35,000
6 and they've lived here since
7 the '50s. It's not good to
8 have it here.

9 The gentleman right here
10 said we've always been kicked
11 in the teeth. It's always like
12 we always get the crappy end of
13 the stick. And to just to put
14 a cover over it, it feels like
15 we're covering it up.

16 Like I said, we formed
17 the Port Richmond On Patrol
18 Civic Association. We're
19 constantly going to community
20 meetings and meetings with the
21 Port Authority. And they're
22 telling us they need more land,
23 that --- you know, when we
24 fought to stop the LNG, the
25 liquid natural gas tankers from

1 coming in. And our port has
2 said, we want you, we want you.
3 We've been defeated.

4 The type of --- has said
5 we need more land. So, you
6 know, like I said, I'd never
7 build houses on this, but we
8 want it out of there and flat,
9 and maybe we can use that for
10 storage, not for perishable
11 items, but we do have, you
12 know, non-food items coming in
13 there.

14 So there can never be a
15 park there. I know Councilman
16 Rizzo said something about a
17 park. We have Colasty Park
18 four blocks away. And I can
19 attest to it, it gets
20 vandalized almost every night.

21 We plant trees there, the
22 trees got yanked out and thrown
23 in the river. So, you know,
24 there's not so much a
25 riverfront park, but, you know,

1 we want our port to grow.
2 We're not against port
3 expansion down there. We know
4 what's down there, but we are
5 called Port Richmond. We know
6 we're a port.

7 And also, just to end
8 this out, in 2004, after we had
9 this press conference, we met
10 with Senator Arlen Specter at
11 30th Street Station. He was on
12 his way to Washington, D.C.
13 and he told us point blank
14 there is no money in the
15 Superfund to get this cleaned
16 up. And this was in 2004.
17 He looked right at us and he
18 said, I'm going to give you the
19 vote, but there's no money in
20 the Superfund to clean this up.
21 So if you guys think you're
22 going to get it cleaned up, he
23 said, you know, it wasn't going
24 to happen.

25 And I wanted to say to

1 the residents here that the EPA
2 is here to help us. And I know
3 it's easy to stand here and
4 shout at you guys when you're
5 trying help us, but think of
6 this, if this was in your own
7 neighborhood and your backyard,
8 you wouldn't want it covered
9 over. So I think that's the
10 feeling of everyone here.

11 So I'm going to turn it
12 over to Adam. I just wanted to
13 make comments. I didn't need
14 any answered, just comments
15 from the community.

16 MS. TAYLOR:

17 Thank you very much.

18 MR. KREMES:

19 My name is Adam Kremes,
20 from PROPAC, Port Richmond on
21 Patrol Association. I spoke to
22 Trish earlier on the phone. My
23 main concern is how about the
24 water that's being contaminated
25 right now, that they are not

1 drilling the holes around it?
2 And you're putting everything
3 on top. Why can't we just,
4 like Patty said, remove it?
5 We're putting it on top and
6 it's going down, and down, and
7 down. So the water is being
8 tested, but when is it going to
9 be tested, in a month, two
10 years from now? So we need to
11 get it done as soon as
12 possible. We need to get it
13 moving. Thank you.

14 MS. MATZKO:

15 Thank you very much for
16 those comments. I certainly
17 understand people's interest in
18 reuse. And I'm hearing that
19 comment very loud and clearly.

20 MS. TAYLOR:

21 The gentleman over here.

22 UNKNOWN RESIDENT:

23 Yeah, I'm just going to
24 talk really loud, because I'm
25 not going to get up and I'm too

1 lazy to walk over there. I
2 have a question about Novacline
3 (phonetic). Okay? First of
4 all, basically you've given me
5 your explanation on hiring a
6 contractor. You're hiring a
7 contractor to question the
8 locals. See, I'm local. I
9 live on Castor and Richmond,
10 real close, and you questioned
11 five people. You questioned
12 five people. That's what this
13 is based on. Your report says,
14 Section 2. --- you questioned
15 five residents.

16 MS. TAYLOR:

17 I'm not sure what you're
18 referring to.

19 UNKNOWN RESIDENT:

20 I go on your website,
21 the EPA's website, access is
22 denied, so I have to pass
23 through it.

24 MS. TAYLOR:

25 Okay. Actually, I ---.

1 UNKNOWN RESIDENT:

2 My question ---.

3 MS. TAYLOR:

4 I think you're referring
5 to the community involvement
6 interviews, to do the --- what
7 we call the Community
8 Involvement Plan. Actually, I
9 went door to door, and I had a
10 contractor with me for
11 notetaking, so it was an EPA
12 person that was doing the
13 interviews. And it was done by
14 postcard. We had a mailing
15 list of half a mile, it was
16 over 3,000 residents, and it
17 was an invitation to interview,
18 to do a Community Involvement
19 Plan.

20 I did not get very many
21 takers on that, so then we
22 started calling people. And it
23 was more than five, actually,
24 though. I believe it was like
25 17 from 20. We did get some

1 takers finally. It took a
2 while. And it was two summers
3 ago that we did that. That was
4 EPA personnel.

5 UNKNOWN RESIDENT:

6 No one on my block knows
7 about this, Richmond Street
8 between Castor Avenue and
9 Five ---. No one.

10 MS. TAYLOR:

11 Are you talking about
12 the site in general, nobody
13 knows about the site?

14 UNKNOWN RESIDENT:

15 Most people don't know
16 the site is there. They know
17 nothing about it and walk away
18 from posted signs that say
19 hazardous, danger, don't go in
20 there. The last time I heard
21 a blanket being referred to as
22 a good idea.

23 What's the lifespan of
24 what's on there now? When was
25 the last time the community,

1 anyone in it, was tested for
2 anything medically related to
3 the site, and what about class
4 action suits against the site?

5 MS. TAYLOR:

6 You had about three or
7 four good questions there. One
8 that we did not get a chance to
9 respond to was the longevity of
10 the cover that's on right now.

11 MS. MATZKO:

12 The current cover that
13 we keep referring to is this
14 thick plastic liner, and it was
15 installed by the EPA in 2000.
16 So it's been on the pile for
17 seven years, and it's been
18 functioning extremely well.
19 And we continue to check on the
20 site to make sure that it's
21 still functioning well. And we
22 anticipate that it will stay in
23 place until we do the final
24 cleanup for the site.

25 UNKNOWN RESIDENT:

1 What about just beyond
2 the site? I notice that all of
3 your testing involves three
4 feet in every direction.
5 There's a place selling soil
6 directly next door to it,
7 selling soil. Where are they
8 getting their soil?

9 And what about --- my
10 neighbor grows vegetables, she
11 eats them. I wouldn't eat
12 them. We live less than a half
13 a mile from this place. Are
14 our kids going to grow up with
15 extra arms and legs? I'd like
16 to know.

17 MS. MATZKO:

18 I hear your concerns.
19 But I just want to reiterate
20 that the pile has been covered
21 the last seven years.

22 UNKNOWN RESIDENTS:

23 Thirty (30) years. And
24 the soil that's not covered,
25 it's in our yards. It's never

1 been covered. Thirty (30)
2 years that I remember the black
3 soot, and it's raining down
4 from the sky.

5 MS. MATZKO:

6 And we do have
7 information in the Proposed
8 Plan about what you have
9 referenced, that during the
10 operation of the smelter and
11 the slag pile, there were
12 releases into the air of
13 metals, particularly lead, and
14 that they exceeded the Air
15 Quality Standards. So we're
16 certainly aware that when these
17 facilities were in operation,
18 they were exceeding the air
19 standards.

20 UNKNOWN RESIDENT:

21 Was there medical
22 testing on any of the residents
23 that have been there long term
24 at all that you're aware of,
25 the City is aware of?

1 MS. MATZKO:

2 There's also monitoring
3 that occurred.

4 MS. TAYLOR:

5 I can introduce her.
6 This is Lora Werner. She's
7 with ATSDR. And that's the
8 Agency for Toxic Substances and
9 Disease Registry. They work
10 with us a lot on Superfund
11 cleanups. Do you want to
12 address that quickly?

13 MS. WERNER:

14 Yes. Just quickly, for
15 everybody here, hearing some of
16 the other comments, I feel
17 badly that you said you didn't
18 know everything or hadn't heard
19 anything about the health
20 issues at the site, because
21 that's a failure on our part,
22 because we did do a review of
23 that as part of the Superfund
24 process. I'd like to be able
25 to give you a document

1 afterwards, after the meeting.

2 I do have extras.

3 But we talked about some
4 of these issues that you've
5 raised in this meeting, there
6 were metals in the air. Did we
7 think anything about what that
8 means for health over the long
9 term? There's a lot of
10 questions, a lot of things we
11 can't ---. There's a lot of
12 things we have to think about
13 just in terms of the pile, the
14 removal of the pile, and what
15 might have been specific to
16 contamination from the pile.
17 We try to come up with that
18 information a little bit more
19 broadly, because we're looking
20 at the area, we're looking at
21 this problem. All the other
22 industrial --- in this area.
23 We still can't give you a
24 concrete answer, that you're
25 sick for this reason, but we

1 did leave that open, that there
2 were these past exposures that
3 were a concern. We do
4 acknowledge that.

5 But in terms of testing,
6 that is a question, again, that
7 we hear a lot. And it's very
8 unusual to use medical testing
9 for exposure, usually we have
10 to have a pretty concrete
11 reason, you had exposure
12 concern that you would actually
13 see in a person's body. But in
14 this case, that does meet that
15 criteria, and we do have this
16 ongoing blood type monitoring
17 information for children, at
18 least in this area. I don't
19 think we have any data.

20 UNKNOWN RESIDENT:

21 Yeah, because the
22 graveyard is filling up.

23 MS. TAYLOR:

24 We also have a
25 Pennsylvania Department of

1 Health representative here, so
2 there's two health agencies
3 here. If you would like to
4 discuss questions afterwards,
5 they'll be available.

6 Does anybody else have
7 any comments on the plan? Yes,
8 sir. If you could please stand
9 up?

10 MR. O'NEILL:

11 My name is Patrick
12 O'Neill. I'm a councilman in
13 the City of Philadelphia. A
14 couple of points, a couple of
15 comments. First, given how
16 long you folks have been
17 working on the site, we feel
18 that the notice here has been
19 insufficient, both in the
20 community and to the City as
21 well. And 30 days to respond
22 to your plan seems
23 insufficient. So we're going
24 to give you a set of comments,
25 like request additional time

1 for that time period.

2 But you've had this site
3 seven years, maybe ten years.
4 Thirty (30) days for the whole
5 community to then review your
6 report, which didn't become
7 available until the 24th, that
8 seems a little too short to me.

9 Since you mentioned that
10 the cover has been on it for
11 seven years, I'm curious, have
12 you recovered any money related
13 to this cleanup, do you know?

14 MS. MATZKO:

15 At this point we have
16 not collected any money in
17 relationship to the site.

18 MR. O'NEILL:

19 You cleaned up the
20 Franklin --- across the street,
21 you cleaned up the Franklin
22 Smelting Site. Have you
23 recovered any money related to
24 that removal action? You
25 mentioned an aggressive

1 recovery process. I think in
2 this case, you haven't
3 recovered any --- it doesn't
4 seem that you've done anything
5 to recover it, respectfully.
6 You know, some other people
7 said, you guys know how to work
8 here, you've cleaned up two
9 very bad sites and made them
10 safe. And our position is,
11 there's a lot more to be done
12 and that you need to remove it
13 entirely.

14 A comment on the cap.
15 It seems to me --- you
16 mentioned this cap is a
17 permanent solution. It's not
18 permanent. And that's why
19 you're going to be doing
20 five-year reviews, on checking
21 every five years, because
22 certainly the plastic wears out
23 and maybe you'll come back and
24 put another plastic cover on
25 it, but that's not a permanent

1 solution.

2 MS. TAYLOR:

3 Let me address a couple
4 of the issues that you brought
5 up. The 30-day comment period
6 is a standard time frame we use
7 for anything that has a
8 Public comment period attached
9 to it. It can be extended.
10 It's just a standard starting
11 point.

12 Also, we do have a
13 customary cost recovery
14 program, and a lot of what goes
15 on is not visible. It's a lot
16 to do with legal issues, it has
17 a lot to do with lawyers and
18 red tape and a lot to do ---.
19 So even though you don't see
20 things happening, there
21 actually is some action going
22 on there.

23 MS. MATZKO:

24 I just want to make one
25 addition. We did have

1 information on our website as
2 of July 19th for the community,
3 and for you as well. So the
4 information that was made
5 available to the public on July
6 19th, to make sure that people
7 have the full 30 days ---.

8 MR. O'NEILL:

9 Yeah. You took years to
10 create this plan, years to do
11 the work that you did, years to
12 do the studies, collect the
13 data, to do this hearing, and
14 you're asking the City and the
15 community to respond in 30
16 days. And my comment remains
17 that's an inappropriately short
18 period of time for an
19 appropriate analysis.

20 My other initial comment
21 is this is, in fact, a
22 landfill. It's an illegal
23 landfill in the City of
24 Philadelphia. That's a
25 violation of City law, and I

1 believe it's a violation of
2 State law as well.

3 And finally, I'll just
4 leave it --- you know, really
5 the last comment, as I said,
6 you'll be receiving written
7 comments from the City. The
8 City's official position is
9 that this is an inadequate
10 remedy. And we'll suggest to
11 you that you need to have an
12 appropriate remedy and removal.
13 Thanks.

14 MS. MATZKO:

15 In response, I know that
16 we received some questions
17 about the financial aspect of
18 this, particularly about
19 parties who are potentially
20 responsible for the site and
21 recovery costs. And we had a
22 person in our office who just
23 couldn't keep himself away
24 tonight and will be able to
25 provide some response. Leo,

1 introduce yourself.

2 MR. MULLEN:

3 Good evening. As Trish
4 was explaining, my name is Leo
5 Mullen, and I'm a civil
6 investigator with EPA. And
7 I've actually been working on
8 this site for about five years
9 already. I'm one of two EPA
10 investigators that's assigned.
11 We have an EPA attorney that's
12 assigned to the recovery
13 action. We also have
14 Department of Justice trial
15 attorney assigned.

16 In dealing with --- the
17 way I've been approaching this
18 is actually one bigger site.
19 And it's the removal action,
20 it's the five adjacent tax
21 parcels, plus there's this
22 four-acre property itself
23 that's out there.

24 The young lady in the
25 back that works for the

1 Councilwoman, she mentioned the
2 person down in Florida. I know
3 the person you're talking
4 about. There's actually
5 several other people that are
6 involved. We've been actively
7 looking at this.

8 Unfortunately, the only
9 money that we've recovered
10 right now is part of a back tax
11 sale for two adjacent parcels
12 to the property. These are the
13 parcels to the west of the
14 railroad line, just north of
15 Castor Avenue. We've also
16 worked with the City to help
17 reintroduce the three parcels
18 south of Castor Avenue with
19 PIDC (phonetic), we've worked
20 with them to try to introduce
21 it.

22 I understand peoples'
23 concern. All I can do is try
24 to let you know we are doing
25 stuff. We have recovered some

1 money. How you're going to
2 recover anything like this,
3 that may not happen. But we do
4 our best efforts, you know.

5 We look at the people.
6 We will do our best to make
7 sure that nobody is going to
8 profit on this. The property
9 is safe, that's the first and
10 most important thing. And
11 that's why we'll allow the
12 enforcement side, going after
13 people to recover money to take
14 a backseat and let Kris and her
15 staff move forward to keep it
16 safe.

17 A lot of the enforcement
18 issues we prefer to keep
19 confidential. I'm sure nobody
20 in here wants your tax returns
21 going public. They have the
22 same rights as a citizen of our
23 country. But if people have
24 questions afterwards and we
25 have information that would be

1 helpful, or they want to talk
2 in general about the liability
3 case, I'll try and deal with
4 it.

5 MS. MATZKO:

6 Thank you very much,
7 Leo. We do appreciate it.

8 MS. TAYLOR:

9 Would anybody else like
10 to make a comment? Let me walk
11 over here.

12 UNKNOWN RESIDENT:

13 I just want to know, the
14 site is not marked. Is it
15 going to be marked? Is there
16 going to be a sign right next
17 to it? No sign, no nothing.
18 Children play there. They ride
19 their bikes back and forth.
20 The place is going to be a
21 problem.

22 Thirty (30) years,
23 living right outside of it,
24 sitting right next to it.

25 MS. TAYLOR:

1 The question is, is
2 there any signage at the ---?

3 MS. MATZKO:

4 There currently is ---?

5 UNKNOWN RESIDENT:

6 There is no sign. No
7 sight. I drove by there
8 again ---.

9 MS. MATZKO:

10 Okay. There was ---
11 originally there were signs on
12 all sides of the site.

13 UNKNOWN RESIDENT:

14 No signs. If somebody
15 has a fishing charter, if
16 you're interested, the sign is.
17 Now, unless you guys are
18 running a fishing charter, that
19 site is not marked.

20 MS. MATZKO:

21 We'll make sure that
22 there are signs placed,
23 something that the community is
24 interested in.

25 MS. TAYLOR:

1 The property is also
2 fenced off, so there should not
3 be anybody on that property.

4 UNKNOWN RESIDENT:

5 I'm a big guy and I
6 could get right through that
7 fence with no problem because
8 it's got a gate with a gap big
9 enough that I could get a
10 motorcycle through.

11 MS. MATZKO:

12 We'll check to make
13 sure ---.

14 MS. TAYLOR:

15 Thank you for the
16 information. We'll definitely
17 check that out. I'm sorry,
18 sir. Go ahead.

19 MR. KAISER:

20 I'm sorry. I just have
21 one other question. And,
22 again, I'm Paul Kaiser from
23 State Rep John Taylor's office.
24 Is the purpose of this meeting
25 --- and I read your ---. Right

1 herein, you propose these five
2 different items, and then you
3 tell us to mail, e-mail or do
4 something.

5 Since we have all signed
6 that sign-in sheet, I would
7 suspect that there are many
8 people here that want to choose
9 any other option between ---
10 except if it's three or it's
11 five. I don't see anybody
12 saying we really like your
13 idea. And I'm hoping that in
14 your nine criteria of motions,
15 that the public acceptance, the
16 community itself, is listed as
17 number nine. I hope that's not
18 where we stand when it comes to
19 input into your process.
20 Because I really think that if
21 you just want to take a show of
22 hands that we want this thing
23 completely done, whether you do
24 it on site or whether you take
25 it away and clean it up, that's

1 what we want. We want it done,
2 gone. And that's what I think
3 everyone here wants to say,
4 even if they're not getting up.

5 And if there's somebody
6 that has a different point of
7 view from that, that do not
8 want to remove that, that's who
9 we need to hear from, because
10 all I'm hearing is it's got to
11 go. And I think that --- why
12 don't you have all those names?

13 MS. TAYLOR:

14 Thank you. You're
15 right. The purpose of this
16 meeting is to get public input.
17 And you can do it by e-mail,
18 you can do it by writing and
19 putting it in the postal mail,
20 or we wanted to provide this
21 opportunity, so people could
22 just come in and verbally tell
23 us. We wanted to make it
24 official, we wanted to make
25 sure there was a record of it.

1 We can guess what people want,
2 but we want to make sure we're
3 hearing from you and getting it
4 down into the record. Thank
5 you.

6 UNKNOWN RESIDENT:

7 Will you do this same
8 type of thing again prior to
9 any completion, any decisions
10 being made? A lot of people on
11 the block wanted to come. They
12 found out today from me. And,
13 you know, it wasn't much
14 warning. Me, I don't get
15 around all that much, so I
16 didn't get very far on the
17 block. Short of that, nobody
18 got the thing in the mail.

19 MS. TAYLOR:

20 The mailing went
21 out, ---

22 UNKNOWN RESIDENT:

23 It was kind of like ---.

24 MS. TAYLOR:

25 --- about 3,000 mailings

1 on our list. We also put an ad
2 in both of the weekly papers.
3 So if the word is not getting
4 out, then I'm going to ask your
5 suggestion ---

6 UNKNOWN RESIDENT:

7 That's fine. A big sign
8 of some kind.

9 MS. TAYLOR:

10 --- as to how we can get
11 the word out better. So I
12 appreciate that. If no one
13 knows about this, and our
14 efforts are not working, then
15 we want to do something to
16 improve that, most definitely.

17 MS. MATZKO:

18 We certainly did make an
19 effort to reach out to the
20 community. And I certainly
21 apologize if word didn't get
22 out, but I certainly appreciate
23 you coming.

24 UNKNOWN RESIDENT:

25 All of Port Richmond,

1 34, I live in Bridesburg. Our
2 side of Castor Avenue is the
3 other side, Bridesburg, 37. So
4 if you put 34 on it --- our
5 mailman has a few problems. So
6 we don't quite get mail much of
7 the time. It's kind of hit or
8 miss. I got a mail for
9 somebody named Monoply
10 (phonetic) in my box.

11 UNKNOWN RESIDENT:

12 It's the summertime, you
13 know. I was on vacation last
14 week. Lots of people like to
15 take their vacation this week,
16 you know. There's a lot of
17 things to do in the summer.
18 You go down there to this
19 meeting, and it was fun, it was
20 phenomenal.

21 UNKNOWN RESIDENT:

22 Lots of physically
23 handicapped, too. Lots.
24 That's why I get mad when they
25 don't pick one of my ---.

1 MS. KOZLOWSKI:

2 Patty-Pat Kozlowski from
3 Councilwoman Krajewski's
4 office. If I could just take a
5 moment to, you know --- I
6 totally respect you. I want to
7 defend you because a lot of my
8 neighbors got the mail. And
9 you had an ad in both papers,
10 the Spirit and the Star.

11 Also, tonight, the
12 biggest rock concert in the
13 community is happening about
14 five blocks away. And I just
15 got a call that there's like
16 over 500 people there, and it's
17 an outdoor concert. And it's
18 Campbell Square, it's one of
19 the parks we take care of. As
20 you can see, this is a really
21 good neighborhood. So you are
22 competing with that.

23 But if you look at the
24 sign-in sheet, you are going to
25 see people from Richmond

1 Street. The Richmond Street
2 neighbors there, they really
3 don't have an identity, they
4 don't know their privilege and
5 their right. All they know is
6 that they see 500
7 tractor-trailers a day.

8 UNKNOWN RESIDENT:

9 On a street that's
10 posted no tractor-trailers.

11 MS. KOZLOWSKI:

12 So you'll see people
13 from Richmond Street there that
14 are a stone's throw from there.
15 And that's the people you
16 wanted to comment. And you
17 also see people from --- who
18 consider Venango their home,
19 but this parish is their
20 parish.

21 Venango Street here, I
22 believe, lives in the shadow of
23 the PGW gas tanks. So, you
24 know, I want to defend you,
25 because I live at Thompson and

1 Venango and I got the mail, I
2 got your e-mail, and I saw the
3 ad in the paper. That paper
4 came out today to 32,000 people
5 on their doorstep. But like
6 you said, it didn't go up to
7 Bridesburg. And I know you're
8 considered Bridesburg, too. I
9 can really understand that, but
10 I just wanted to defend you,
11 because I know a lot of people
12 got it, but they're over doing
13 a conga line rather than
14 talking about slag piles. All
15 right?

16 MS. MATZKO:

17 Well, thanks very much
18 for coming, and thank you
19 everyone for coming out. I
20 know there was such a
21 competition there for your
22 attention. And thank you very
23 much.

24 MS. TAYLOR:

25 And we know who to call

1 when the next meeting is going
2 to be planned. We'll double
3 check with your schedule.

4 MS. MATZKO:

5 There was actually one
6 comment about, is there going
7 to be another public
8 availability session like
9 tonight? There is no plan to
10 have another one. Once we
11 collect your comments tonight,
12 review the other comments that
13 we receive from throughout the
14 comment period, we'll make a
15 decision on the remedy and
16 we'll put together a document
17 called a Record of Decision,
18 and then we will issue that
19 Record of Decision.

20 So this is the primary
21 public meeting that we have
22 planned for this site.

23 MR. O'NEILL:

24 Patrick O'Neill again.
25 I want to make another comment

1 that has occurred to me. Have
2 you given any thought to the
3 sort of access that the plan
4 the State gives you both the
5 water department facility next
6 door and the PGW facility
7 that's like a block away? But
8 I understand there to be a
9 security issue there in terms
10 of if you get up on that thing
11 and you fire a weapon at
12 something large, at a gas tank
13 --- I mean, a natural gas tank,
14 I'm wondering whether you
15 reviewed that possibility. And
16 if you haven't, you should.

17 MS. MATZKO:

18 No, we haven't. Thank
19 you very much for that comment.

20 MR. HAMBURG:

21 I'm Mike Hamburg from
22 the Philadelphia Gas Works. I
23 just have three points to make.
24 On your EPA website, I did look
25 at a lot of the documents that

1 you have. And on options, or
2 alternative three and five,
3 they are the ones that really
4 satisfy the short-term
5 effectiveness, meaning that
6 once you remove the materials,
7 there's no long-term issue with
8 the property.

9 Alternative four has a
10 lot of operations and
11 maintenance expenses that go
12 over the course of 30 years or
13 more. That's always somebody
14 having to care for the
15 property. After a year of
16 working on the property, with
17 alternatives three, four and
18 five, I think it would be
19 beneficial for either three or
20 five, that we don't have to
21 worry about the property
22 anymore as far as the slag
23 pile.

24 My second point is with
25 those open-end expenses. I was

1 trying to figure it out. You
2 may want to look at it. I know
3 you were averaging about
4 \$11,000 a year, but that seems
5 a little weak if you run it
6 over 30 years, and the numbers
7 didn't add up to the final
8 number of around 5.6 million.

9 My last point is
10 actually one of the
11 alternatives was not presented
12 this evening. You did send me
13 --- reuse of the material was
14 not a consideration. I would
15 really like the EPA to re-look
16 at that. I know you did
17 compare it with the State of
18 Pennsylvania, and a lot of the
19 general permits, that would
20 allow the resale of this
21 product for, for instance,
22 binders in roadways, bind it
23 with concrete. You could do a
24 lot of beneficial reuse issues
25 with it. While the State of

1 Pennsylvania may not allow it
2 as a resale, is there other
3 locations, whether they're
4 actual within the United States
5 or other countries that this
6 material could go to for a
7 beneficial reuse. Thank you.

8 MS. MATZKO:

9 Thank you so much for
10 your comments. We did look at
11 reuse, like you mentioned. And
12 we looked at the State of
13 Pennsylvania has existing
14 general permits for how
15 materials can be reused. And
16 when we compared the slag
17 material that we had to the
18 standards that are set by the
19 State, the slag material
20 exceeded the State standards.
21 And, therefore, we determined
22 that it was not able to be
23 reused. We did look into reuse
24 alternatives.

25 MS. TAYLOR:

1 Does anybody else have a
2 comment they'd like to present?

3 MS. MATZKO:

4 And in terms of the cost
5 question that you raised, we'll
6 make sure we double check those
7 figures and make sure that
8 they're accurate. Thanks very
9 much for that.

10 MS. TAYLOR:

11 We're running up on
12 8:00. We have the facility
13 until 8:30. So if you want to
14 break from this format and ask
15 your questions more on a one on
16 one, without the court
17 reporter, we will be here until
18 8:30. We'll start breaking
19 down at 8:30, since we've got a
20 good half hour unless there are
21 other folks that want to come
22 up and present their comments.
23 We will be here for discussion
24 one on one. If you have any
25 questions for the health

1 officials, we do have two
2 health agencies here.

3 So I want to thank
4 everybody very much for coming
5 out. I appreciate your time.
6 We did not know that there was
7 a party down the block
8 happening at the same time. So
9 thank you. We appreciate it
10 very much.

11 MS. MATZKO:

12 And I'd just like to
13 reiterate that as well. Thank
14 you so much for coming out and
15 spending your evening with us.
16 We appreciate it.

17
18 * * * * *

19 PUBLIC MEETING CONCLUDED AT 8:04 P.M.

20 * * * * *